

REMARKS

In accordance with the foregoing, claims 1-10 are amended to enhance their form in accordance to the U.S. patent claim practice. No new matter is added. Claims 1-10 are pending and under consideration.

DOUBLE PATENTING REJECTION

Claims 1-10 are rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claim 3 of U.S. Patent No. 7,251,461 to Shoji et al. in view of U.S. Patent Application No. 2002/0132600 by Rudrapatna.

A terminal disclaimer relative to U.S. Patent No. 7,251,461 to Shoji et al. is filed herewith. In view of the Terminal disclaimer filed concurrently, the non-statutory obviousness-type double patenting rejection is overcome.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

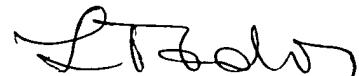
If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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